



NATIONAL PARK SERVICE COMMERCIAL VISITOR SERVICES ALASKA REGION

Laws and Regulations

- ***Concessions Management Improvement Act of 1998*** - the law under which commercial visitor services are authorized in our national parks.
- ***36 CFR, Part 51*** - the nationwide regulations which implement the Concessions Management Improvement Act of 1998
- ***36 CFR, Part 13, Subpart D*** - the regulations implementing Section 1307 of the Alaska National Interest Lands Conservation Act, relating to commercial visitor services in Alaska's National Parks.

National Parks and Preserves In Alaska

The sixteen national park service areas in Alaska have a total land area of 54 million acres. These park areas preserve and protect outstanding natural and cultural resources. Sitka National Historical Park, the first park area established in Alaska, commemorates the Tlingit culture and early Russian settlement of Alaska. Mount McKinley, Katmai, and Glacier Bay national parks were established to protect outstanding natural resources. Klondike Gold Rush National Historical Park preserves part of the gold rush history of Alaska. The Alaska National Interest Lands Conservation Act of 1980 added ten more units to the National Park System and expanded Glacier Bay, Katmai, and Mount McKinley (renamed Denali) national parks.

Park areas in Alaska include the Alagnak Wild River, Aniakchak National Monument and Preserve, Katmai National Park and Preserve, Lake Clark National Park and Preserve, Kenai Fjords National Park, Gates of the Arctic National Park and Preserve, Glacier Bay National Park and Preserve, Klondike Gold Rush National Historical Park, Sitka National Historical Park, Wrangell-St. Elias National Park and Preserve, Denali National Park and Preserve, Yukon-Charley Rivers National Preserve, Bering Land Bridge National Preserve, Cape Krusenstern National Monument, Kobuk Valley National Preserve, and Noatak National Preserve.

Types of commercial permits

Several types of authorizations are used to allow private businesses to operate in national park areas. An incidental business permit (IBP) is the simplest form of authorization. The IBP is used for services that do not use fixed commercial facilities within the national park area, the commercial activity originates and terminates outside the park area, no money changes hands on park lands and no commercial solicitation occurs on park lands. Examples of such businesses are backpacking, river running, and sport fishing.

IBP's may authorize a commercial visitor service for up to two years. Once a particular service has been approved for a park area, an IBP will be issued to every business that applies for the IBP as long as all the basic requirements are met.

Other permits and contracts are awarded through a competitive bid process. After determining that a visitor service is necessary, appropriate, and feasible as a business opportunity, the National Park Service prepares a prospectus, which outlines the requirements for operating the business. Interested businesses apply by submitting written proposals that respond to established criteria. Major factors for evaluating proposals include managerial

competence, conformance to the terms of the prospectus and financial ability.

Concession permits are used when the number of operators is limited and/or the business requires a land assignment within the park area. Examples of these types of commercial services are hunting guides with exclusive guide areas and climbing guides where the number is limited. Businesses with facilities in the park and which require a significant investment on the part of the commercial operator are authorized by a concession contract.

When commercial operators are selected from a competitive prospectus, preference is given to Alaska Native Corporations and local residents in accordance with provisions of the Alaska National Interest Lands Conservation Act Section 1307. Sport fishing and hunting guide activities are exempt from these preferences.

Who needs a permit?

The National Park Service welcomes commercial operators who provide a variety of ways for visitors to see and enjoy national park areas in Alaska. A permit or other type of authorization is required for all businesses providing any type of commercial services and facilities in National Park

How can I obtain an Incidental Business

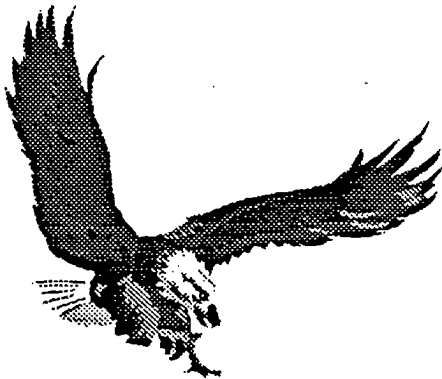
Permit?

The process for obtaining an IBP begins by requesting the application form. The application can be obtained from individual parks or our web site at <http://www.nps.gov/akso/> -or- Email brenda-coleman@nps.gov.

You may also call us at 907-257-2574 or write to:

**National Park Service
Alaska Support Office
Concessions Office
2525 Gambell Street, Room 107
Anchorage, AK 99503-2892.**

Proposals for new services not previously authorized by an IBP require considerable review. It is helpful to have the business proposal in writing with as much detail as possible. Existing concessioners may have a preference to provide new services.



Environmental impacts need to be considered before new commercial services can be authorized.

How much will it cost?

At the time of application there is a non-refundable \$100 application fee and a \$100 administrative fee to operate in one park unit. There is a \$50.00 fee for each additional park unit. During the second year of the permit, only the administrative fee and certain park fees are collected.

There may also be a park management fee depending upon the commercial activity and in which park(s) the activity takes place. An estimate of this fee can be provided at the time of application and the actual cost will be billed at the end of each season of operation.

How long will it take to get a permit?

Processing an Incidental Business Permit may take up to three months for an activity which has already been approved for a park area. Requests to provide new commercial services may take considerably longer and may not be approved.

Concession permits and contracts are only issued as a result of a competitive process in response to a prospectus. The selection process takes several months or longer.

What must be submitted when requesting a permit?

Before an application is approved, the business must:

1. Fully complete the application
2. Provide proof of liability insurance
3. Obtain worker's compensation insurance (if applicable) as required by state law
4. Possess a current Alaska business license
5. Pay the required fee(s)
6. Comply with all state and federal regulations

What kind of insurance is required?

The National Park Service requires businesses providing commercial visitor services to carry liability insurance. The amount of insurance required is based upon the type of commercial activity and the number of persons at risk. Required insurance may include comprehensive general liability, product liability, auto liability, and/or aircraft liability. Insurance policies must contain a waiver of subrogation clause specifying that the insurance company shall have no right of subrogation against the United States **OR** the U.S. Government must be named as an additional insured.

What reports are required?

An activity summary and gross receipts report must be submitted annually for an IBP. Concession permits and contracts require an annual financial report. Other reports may be required.

What is the term of the permit and how is it renewed?

IBP's are issued for a one- or two-year term. These permits are not transferable and expire at the end of the term. After expiration, a new permit may be issued for a new term. IBP's are non-competitive and will continue to be issued for subsequent terms as long as that particular commercial activity is permitted and the number is not restricted. Park managers continuously review commercial activities to be certain that they are consistent with park purposes and are not significantly impacting park resources.

Concession contracts and permits are issued for four or more years depending upon the Service. They are renewed by competitive selection from applicants responding to a prospectus.